



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (

#12/Election
R. Tan
8/24/02

In re the Application of

~~Osamu~~ TANITSU et al.

Group Art Unit: 2851

~~Application~~ No.: 09/703,727

Examiner: D. B. Esplin

~~Filed~~: November 2, 2000

Docket No.: 107759

~~For~~: OPTICAL INTEGRATOR, ILLUMINATION OPTICAL APPARATUS, EXPOSURE APPARATUS, AND OBSERVATION APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

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In reply to the July 25, 2002 Restriction Requirement, Applicants provisionally elect Group I, claims 1-37 with traverse.

It is respectfully submitted that the subject matter of all claims 1-52 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

The Examiner is requested to consider the references submitted with the Information Disclosure Statement (IDS) filed with this application on May 29, 2001. The Examiner is requested to contact Applicants' undersigned representative if the IDS or its enclosures is not present in the PTO file.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Robert Z. Evora
Registration No. 47,356

MAC:RZE/dmw

Date: August 20, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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